



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/977,334	10/16/2001	Hiroyuki Hamasaki	NITT.0042	1651

7590

06/21/2004

Stanley P. Fisher  
Reed Smith Hazel & Thomas LLP  
Suite 1400  
3110 Fairview Park Drive  
Falls Church, VA 22042-4503

EXAMINER

SEFI, BEHROOZ M

ART UNIT

PAPER NUMBER

2613

DATE MAILED: 06/21/2004

9

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/977,334

Applicant(s)

HAMASAKI ET AL.

Examiner

Behrooz Senfi

Art Unit

2613

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 17 May 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### *Response to Arguments*

1. Applicant's arguments filed 5/17/2004 have been fully considered but they are not persuasive.

Applicant's point of argument (paper no. 8, pages 7 – 8) are ~~read~~<sup>read</sup> and understood, however the present claims do not require that all the predetermined logical levels are the same. Therefore, the ground for rejection still applies.

### *Claim Rejections - 35 USC § 103*

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1. Claims 1<sup>11</sup> are rejected under 35 U.S.C. 103(a) as being unpatentable over Barnes (US 6,122,315).

Regarding claim 1, Barnes '315 teaches a digital decoding system that decompressed digital data to restore original data (i.e. abstract), and plurality of memory areas in which the decompressed data is stored (i.e. fig. 6), and plurality of flags provided to correspond to each of the plurality of memory areas (col. 5, lines 47 – 51). Barnes '315 fails to explicitly teach "flag indicating when all bits of stored data are set to predetermined logical values, and corresponding flags are set to a first state when all bits of data to be written are set to predetermined logical values". However, Barnes '315 teaches flags corresponding to memory areas which would indicate the status of the

Art Unit: 2613

memory areas) and it is also clear that the flags would have two stages (for indicating the status). Therefore, based on the above teaching the claimed "flags indicating when all bits of stored data are set to predetermined logical value" would have been obvious to one skilled in the art, since Barnes '315 teaches flags for indicating the status of the memory areas, which means if the known/predetermined logical data (which would be either 0, or 1 or combination) are stored correctly or not.

Regarding claims 2 and 6, Barnes '315 teaches, "wherein one of the predetermined logical value is a logical "0", and "outputs data of logical "0", reads on (i.e. fig. 9c, 414).

Regarding claims 3 - 5, Barnes '315 teaches "arithmetic circuit for performing computations ..... " (i.e. fig. 9a – 9c) logical circuit including the AND gate and OR gate for adding and multiplying the data items.

Regarding claims 7 - 8, Barnes '315 teaches the claimed limitation "digital data to be decompressed is an audio data and image data" (i.e. fog. 4, audio/video demux).

Regarding claims 9 - 11, the claimed limitations are substantially similar to claims 1 – 4; therefore the grounds for rejecting claims 1 – 4, also apply here. As for additional limitation " predetermined method and proper format" reads on (i.e. abstract, MPEG decoder), and as for the additional limitation "performing counting of the number of valid data, in claim 11), reads on (i.e. col. 11, lines 1+) thus teaches the counter registers, and "indicate when all bits of stored data are logical "0"s," reads on Barnes '315 flags indicating empty status of the memory which is equivalent to "zero status".

*Conclusion*

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Behrooz Senfi** whose telephone number is **(703)305-0132**.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Chris Kelley** can be reached on **(703)305-4856**.

**Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks

Washington, D.C. 20231

Application/Control Number: 09/977,334  
Art Unit: 2613

Page 5

**Or faxed to:**


**(703) 872-9314**

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

Any inquiry of a general nature or relative to the status of the application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.

B. S. B. §'.

6/9/2004

  
CHRIS KELLEY  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600